

**MINUTES OF THE
SAFE DRINKING WATER COMMISSION**

**Water Protection Program
Public Drinking Water Branch
Virtual Meeting**

**July 8, 2020
10 a.m.**

Commissioners Participating:

Ms. Elizabeth Grove, Chair
Mr. Bruce Manning
Mr. Rodger Owens
Mr. Curt Skouby

Ms. Charli Jo Ledgerwood, Vice Chair
Ms. Susan Hazelwood
Mr. Fred Schmidt
Mr. Scott Bockenkamp

Commissioners Absent:

Ms. Susan Armstrong

Legal Counsel:

Mr. Tim Duggan, AGO

Staff Present:

Mr. David Lamb, WPP/PDWB
Ms. Donna Belfiore, WPP/PDWB
Ms. Sheri Fry, WPP/PDWB
Mr. Eric Medlock, WPP/PDWB
Ms. Hannah Humphrey, WPP/FAC
Ms. Lauren Graessle, WPP/ FAC
Mr. Joel Reschly, DNR/ GCO
Mr. Van Beydler, DNR/OD
Ms. Sharon Davenport, WPP/FAC
Ms. Misty Lange, WPP/FMS

Mr. Lance Dorsey, WPP/PDWB
Ms. Darlene Helmig, WPP/PDWB
Mr. Todd Eichholz, WPP/PDWB
Mr. Maher Jaafari, WPP/PDWB
Ms. Diane Vitello, WPP/PDWB
Mr. Patrick Vavra, WPP/PDWB
Mr. Chris Wieberg, Director, WPP
Ms. Jodi Gerling, WPP/FMS
Mr. Tom Adams, WPP/PDWB
Ms. Judi Fifer, DNR/DAS

Guests present:

Ms. Samantha Harden, EPA
Ms. Cathy Youtsey
Ms. Michelle Ashworth
Mr. Joe B.

Guests 1, 2, & 3 (no names shown)
MPUA (no name shown)
Ms. Lauren Dempsey
Aidan

Note: Due to the virtual nature of the meeting, introductions were not conducted beyond Commission members present. The names listed above for staff and other participants were those who logged on for the Adobe Connect. This may not be a comprehensive list of all participants.

Abbreviations and Acronyms used in these minutes

AGO	Attorney General's Office
CWS	Community Water System
DWSRF	Drinking Water State Revolving Fund
EPA	Environmental Protection Agency
FAC	Financial Assistance Center
FMS	Fiscal Management Section
GCO	General Counsel's Office
IUP	Intended Use Plan
OD	Office of the Director
PDWB	Public Drinking Water Branch
SDWC	Safe Drinking Water Commission
WPP	Water Protection Program

Call to Order and Introductions

The regular meeting of the Safe Drinking Water Commission was held as a virtual meeting on July 8, 2020, via Adobe Connect. Chair Grove called the meeting to order at 10:00 a.m.

Roll call of the Commission was taken. Those in attendance included Commissioners Hazelwood, Manning, Owens, Schmidt, and Skouby, as well as Chair Grove and Vice-Chair Ledgerwood. Commissioner Armstrong was absent. A quorum was established at this time.

Minutes of the January 15, 2020, Meeting

Chair Grove asked for any changes, additions, or deletions to the January 15, 2020, meeting minutes provided to the Commission for review. Hearing none, Chair Grove called for a motion to approve. Commissioner Hazelwood made a motion to approve the minutes as presented, and Commissioner Manning seconded the motion. A roll call vote was taken, resulted as follows:

Commissioner Hazelwood:	Yes	Commissioner Manning:	Yes
Commissioner Owens:	Yes	Commissioner Schmidt:	Yes
Commissioner Skouby:	Yes	Vice-Chair Ledgerwood:	Yes
Chair Grove:	Yes	Commissioner Bockenkamp:	Yes
Commissioner Armstrong:	Absent		

Motion carried.

Annual Capacity Development Report

Ms. Diane Vitello, Capacity Development and Source Water Protection Unit Chief, started her report by providing some background and history related to the Safe Drinking Water Act

requirements of the report. She then provided an update on Capacity Development activities during 2019 including training and technical assistance provided for small systems, the circuit rider assistance contract, and other drinking water activities. She then discussed future goals for the program.

No action taken by the Commission, information only.

Drinking Water Infrastructure Needs Survey and Assessment

Ms. Lauren Graessle, of the Financial Assistance Center, started her presentation with a brief background and history of the Drinking Water Infrastructure Needs Survey and Assessment. Ms. Graessle explained that the DWINSA is conducted every four years to determine the total national and state need for drinking water infrastructure projects over the next 20 years, and that the survey helps determine the annual allotment of federal funds for the Drinking Water State Revolving Fund program. She concluded her presentation with a detailed description of how the survey is conducted and put into action following a timeline of events. She then answered questions from the Commission.

No action taken by the Commission, information only.

Proposed Fee Rule

Mr. David Lamb, Chief of the Public Drinking Water Branch (Branch), outlined the necessary steps required by the Department to proceed with filing the proposed rule language for 10 CSR 60-16 Drinking Water Fees in order to initiate the formal rulemaking process. His presentation detailed the fee revision process, the current fee structure, and the current financial overview of the program. He also summarized the stakeholder meetings and the consensus proposal developed by the stakeholders, as well as the proposed rule language. He concluded his presentation with a reminder of the subsequent meeting on July 10, 2020, when the Commission would vote on whether to proceed with filing the proposed rule actions. He then answered questions from the Commissioners.

No action taken by the Commission, information only.

Disinfection Byproducts Study

Mr. Maher Jaafari, Chief of the Permitting and Engineering Section, gave a brief description of the Disinfection Byproducts (DBP) Study, which is a collaboration between the Department and the Environmental Protection Agency. He noted that the goals of the study were to establish DBP baselines for participating water systems, to determine where DBP formation is occurring at these systems, and identify opportunities for treatment optimization. Mr. Jaafari discussed some of the specific findings of the study and answered several questions from the Commission.

No action taken by the Commission, information only.

COVID-19 Regulatory Relief

Mr. Lance Dorsey, Chief of the Compliance and Enforcement Section, reported to the Commission on the current regulatory relief efforts the Department was implementing due to the COVID-19 pandemic. Mr. Dorsey explained that pursuant to Executive Order 20-10, the Department received approval for six drinking water regulatory relief waivers in two categories; Operator Certification and Backflow Prevention. He then discussed in more detail the three Backflow rule suspensions and the general regulatory relief process.

No action taken by the Commission, information only.

Operator Certification COVID-19 Update

Ms. Darlene Helmig, Chief of the Operator Certification Section, reported to the Commission the recent regulatory relief extended to certified water operators during the COVID-19 pandemic. She explained that pursuant to Executive Order 20-10, the Department was temporarily suspending portions of the Operator Certification rules to allow certified operators of public water systems to renew their certificates without obtaining the minimum amount of renewal training that otherwise would be required. She also discussed virtual training efforts and the Department's plan to resume in person training and examinations.

No action taken by the Commission, information only.

Attorney General's Office Legal Update

Mr. Tim Duggan, AGO, informed the Commission that he had no report or update at this time. He did, however, inform the Commissioners that Section 610.015 of the Revised Statutes of Missouri, also known as the Sunshine Law does provide guidance for absentee voting when members of the Commission are not able to be present, either in person or via teleconference. He noted it is allowable for members of the Commission to submit their vote via email or text, and that said submissions should be printed and attached to the meeting minutes.

No action taken by the Commission, information only.

Branch Chief's Update

Mr. David Lamb started his update by informing the Commission of some operational issues experienced by the Department staff. He noted that since the start of the COVID-19 pandemic, the Branch has approximately 25% of staff members coming into the office on any given day, on staggered schedules to maintain social distancing. He also noted that Branch staff have continued to perform their core job duties with few challenges, even while working remotely.

Next, Mr. Lamb gave updates on several EPA approvals for the Program:

- On March 4, 2020, EPA approved all of our outstanding Primacy revisions related to the Red Tape Reduction efforts, with the exception of the Revised Total Coliform Rule.
- On March 17, 2020, EPA finalized the annual review for FY19. Their report concluded that Missouri is currently meeting all of the requirements of our primacy enforcement responsibility.
- On April 2, 2020 EPA granted full primacy for the Revised Total Coliform Rule, and the Lead and Copper Short-Term Revisions Rule. With these two final approvals the Department now has full primacy for implementing all federal rules.
- Lastly, the 4th Cycle Monitoring Plan was approved as well. This plan covers the years 2020-2028, which outlines the frequency of monitoring the state will require water systems to follow to ensure compliance with the Safe Drinking Water Act.

Next, Mr. Lamb announced that several annual reports have been published since the last meeting in January. The Annual Census of Public Drinking Water Systems (Census), and the Annual Compliance Report (ACR). The annual Census provides detailed information regarding the volume, source water type, population and other characteristics of the systems. The ACR reports the percentage of the State population served by community water systems (CWS) which met all health based standards. He noted that the 2019 percentage was lower than the previous year due to flooding which included one of the State's largest water systems.

Next Mr. Lamb reported on several federal actions that have recently taken place:

- On June 18, 2020 EPA issued a final action regarding the regulation of Perchlorate, which was to withdraw the 2011 regulatory determination and to not issue a national regulation for perchlorate.
- On February 20, 2020, EPA announced its decision to regulate two new PFAS (Per- and polyfluoroalkyl substances) compounds: PFOA (perfluorooctanoic acid) and PFOS (perfluorooctanesulfonic acid). Their final determination is expected early next year.
- On May 18, 2020, EPA finalized a rule to add 172 PFAS substances to the Toxic Release Inventory (TRI), a chemical reporting list.
- EPA's Federal Lead and Copper Rule Revisions have not been finalized at this time, but are expected to be out by the end this summer.

Mr. Lamb concluded his update with current legislation by the General Assembly regarding public drinking water. House Bill 2120 – Water Safety and Security Act, which was signed by the Governor on July 2, 2020, and will go into effect on August 28, 2020. This legislation requires Community Water Systems (CWS) to create a plan that establishes policies and procedures for identifying and mitigating cyber risk. It also requires CWS to create a valve inspection program, with inspections of valves every 10 years. Systems are also required to create an annual hydrant inspection program. These CWS shall submit a report upon request from DNR that certifies compliance with all regulations regarding water quality sampling, testing, and reporting, as well as the hydrant, valve, and cyber security provision of the law.

This Bill also includes language regarding lead testing in schools, however this part of the statute will be implemented by the Department of Health and Senior Services.

No action taken by the Commission, information only.

Fiscal Year 2020 Drinking Water State Revolving Fund Intended Use Plan Amendment

Ms. Hannah Humphrey, Director of the Financial Assistance Center, came before the Commission to present proposed changes to the Fiscal Year 2020 Drinking Water State Revolving Fund Intended Use Plan Comprehensive List and Fundable Projects List. After Ms. Humphrey explained the changes, Chair Grove asked for a motion to approve the proposed changes as requested. Commissioner Skouby made a motion to approve the revisions. Commissioner Hazelwood seconded the motion. A roll call vote was taken, and the results are as follows:

Commissioner Hazelwood:	Yes	Commissioner Manning:	Yes
Commissioner Owens:	Yes	Commissioner Schmidt:	Yes
Commissioner Skouby:	Yes	Vice-Chair Ledgerwood:	Yes
Chair Grove:	Yes	Commissioner Bockenkamp:	Yes
Commissioner Armstrong:	Absent		

Motion carried.

New Business

Chair Grove asked the Commissioners if there was any new business to be discussed. No items were identified for discussion.

Public Comment and Correspondence

Chair Grove asked if there was anyone participating in the meeting who would like to address the Commission. No one identified themselves as wanting to speak.

Future Meetings

Chair Grove announced the dates for upcoming SDWC meetings.

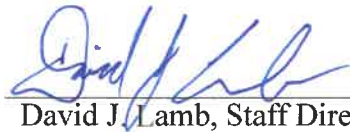
July 10, 2020	Virtual Meeting	Vote on filing the proposed Fee Rule
September 18, 2020	Virtual Meeting	Public Hearing for the Fee Rule
October 14, 2020	Virtual Meeting	Regularly Scheduled Meeting
November 23, 2020	Virtual Meeting	Vote on the Fee Rule Order of Rulemaking

Adjournment

Chair Grove called for a motion to adjourn the meeting. Commissioner Owens made a motion to adjourn. Commissioner Manning seconded the motion. All Commissioners voted unanimously to approve.

Motion carried. The meeting was adjourned at 12:36 p.m.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "David J. Lamb", is written over a horizontal line.

David J. Lamb, Staff Director

Minutes taken at the Safe Drinking Water Commission meetings are not verbatim records of the meeting. Consequently, the minutes are not intended to be, and are not, a word-for-word transcription.

